

N.D.A.G. Letter to Meier (April 30, 1986)

April 30, 1986

Honorable Ben Meier
Secretary of State
State Capitol
Bismarck, ND 58505

Dear Secretary Meier:

Thank you for your letter of March 24, 1986, regarding whether the North Dakota Great Seal can be used on a commemorative centennial rifle.

1985 N.D. Sess. Laws 555 provides in part as follows:

Section 1. Exemption for Use of Great Seal for Centennial Commemorative Items. Any person who designs any item to commemorate the state centennial using the great seal of the state, or offers for sale, sells, or uses in a public manner the item so designed is exempt from the application of section 54-02-01. To receive the exemption provided in this Act, the person must first received approval of the design of the item from the North Dakota centennial commission established by chapter 583 of the 1983 Session Laws and from the secretary of state.

(Emphasis supplied.)

Ordinarily, the use of the Great Seal for commercial purposes constitutes a class B misdemeanor pursuant to N.D.C.C. § 54-02-01. However, as the foregoing provision of the law provides, the North Dakota Great Seal may be used for centennial commemorative items such as a rifle where prior approval of the Centennial Commission and the Secretary of State has been obtained. It is my further opinion that the use of the North Dakota Territorial Seal is not restricted.

Sincerely,

Nicholas J. Spaeth

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